


United States District Court for
the Eastern District of North Carolina,
Western Division
No. 5:08-cv-3168-D

FILED

OCT 3 2011

DENNIS P. JAVARONE, CLERK
US DISTRICT COURT, EDNC
BY  DEP CLK

Lacy Lee Williams Jr.
Plaintiff
vs.
Aramark Food Service, et al.
Defendants
} Plaintiff Request Reverse Judgment Due
to plaintiff's Submitting his opposition to
Defendants Motion for Summary Judgment.

Now Comes the plaintiff Herein pro per litigant, who move this Court to Reverse it's September 26, 2011 Judgment made by U.S. District Judge James C. Dever III, in which plaintiff submitted his Declaration in Opposition to Defendants Motion for Summary Judgment on or About July 15th 2011, AND Will show the Court the following:

Brief History

1. ON MARCH 18, 2011, Aramark filed a motion to dismiss for insufficiency of Service of process.
2. ON JUNE 3, 2011, Plaintiff filed a motion for Summary Judgment

3. ON JUNE 6, 2011, The Court Notified plaintiff About the motion for Summary Judgment.
4. ON JUNE 14, 2011. The plaintiff filed a motion to stay due to plaintiff legal property being UNConstitutionally taken which Caused AN injury to respond at the time to the defendants Summary Judgment.
5. To date the plaintiff Lacy Lee Williams Jr. Submitted AN Declaration IN opposition to Defendants Motion for Summary Judgment on July 15, 2011.

Conclusion in fact:

The plaintiff Completed and Sent on July 15th 2011 AN Declaration in opposition to Defendants Motion for Summary Judgment "to the U.S. District Court, Eastern District of North Carolina, Western Division; and, to John A. Maxfield, Attorney Deputy for the defendants," through the North Carolina Dept. of Correction legal mail system. Once plaintiff give his legal mail to AN Correctional officer, it is their responsibility to make sure it is delivered to the mail room of the facility for legal postage and delivery. But Apparently, this process of properly delivering plaintiff mail or the destruction of plaintiff's mail has been divested. Therefore, the plaintiff have enclosed his personal Carbon Copy, 30 page Declaration in opposition to Defendants motion for Summary Judgment to show the Court that the plaintiff Sent ~~and~~ AN Completed response in opposition to the Defendants Motion for Summary Judgment.

Wherefore, Due to the aforementioned reasons and for good cause shown, the

Court Should Reverse it's Judgment in plaintiff favor as justice so requires.

Pursuant to 28 U.S.C. § 1746, I declare Under penalty of perjury that the foregoing is true AND Correct. Executed this 26th day 2011

Lacy Lee Williams Jr

Certificate of Service

I Hereby Certified that i have Sent the foregoing "Reverse Judgment", by placing it in the mail box Via first class, and delivered to the following Court AND Address:

James C. Dwyer III
U.S. District Judge.
Po Box 25670
East Dist. of N.C.
Raleigh, N.C. 27611.

CC: Lacy Lee Williams Jr # 042843
Pro per litigant
Central Prison Institution
1300 Western Blvd
Raleigh, N.C. 27606.

Lacy Lee Williams Jr
Executed September 26, 2011.